IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

Case No. 1:20-cv-763-RP

UNIVERSITY OF TEXAS AT AUSTIN, et al.,

Defendants.

JOINT STATUS REPORT

The parties file this joint status report in accordance with this Court's order.

- 1. This case is stayed pending further order of the Court. This Court ordered that the parties file a joint status report every 90 days. The parties filed their first Joint Status Report on October 19, 2022. <u>Docket No. 66</u>.
- 2. The parties' joint motion to stay was based on the Supreme Court of the United States' grant of certiorari in two cases that were brought by Plaintiff Students for Fair Admissions: *Students for Fair Admissions v. President and Fellows of Harvard College*, No. 20-1199, and *Students for Fair Admissions v. University of North Carolina et al.*, No. 21-707.
- 3. Because the Supreme Court's disposition of these cases will likely affect the outcome of this case, the parties jointly requested, and this Court granted, a stay of this litigation pending the Supreme Court's decisions in *Harvard* and *University of North Carolina*.
- 4. Since the filing of the last Joint Status Report, the *Harvard* and *University of North*Carolina cases were argued before the Supreme Court on October 31, 2022. Both cases are under

submission, and it is expected that the Court will issue opinions deciding both cases by the end of June 2023.

5. All parties request that the Court maintain the stay of this litigation pending the Supreme Court's decisions in *Harvard* and *University of North Carolina*.

Dated: January 17, 2023.

Respectfully submitted,

/s/Michael Connolly
Thomas R. McCarthy (pro hac vice)
J. Michael Connolly
Cameron T. Norris
Steven C. Begakis (pro hac vice)
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
(703) 243-9423
tom@consovoymccarthy.com
mike@consovoymccarthy.com
cam@consovoymccarthy.com
steven@consovoymccarthy.com

Counsel for Plaintiff Students for Fair Admissions, Inc.

By:/s/William Christian
Matthew C. Powers
Texas State Bar No. 24046650
mpowers@gdhm.com
William Christian
State Bar No. 00793505
wchristian@gdhm.com
Marianne W. Nitsch
Texas State Bar No. 24098182
mnitsch@gdhm.com Graves Dougherty,
Hearon & Moody, P.C.
401 Congress Avenue, Suite 2700
Austin, Texas 78701
(512) 480-5725 (phone)
(512) 539-9938 (fax)

Counsel for Defendants

/s/David Hinojosa
Brian C. Pidcock
State Bar No. 24074895
HUNTON ANDREWS KURTH LLP
600 Travis St.
Houston, TX 77002
Tel. (713) 220-4200
brianpidcock@HuntonAK.com

David Hinojosa
State Bar No. 24010689
Genevieve Bonadies Torres (pro hac vice)
LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW
1500 K Street, NW, Suite 900
Washington, DC 20005
Tel. (202) 662-8600
dhinojosa@lawyerscommittee.org
gbonadies@lawyerscommittee.org

Ryan P. Phair (pro hac vice)
Carter C. Simpson (pro hac vice)
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Avenue, NW
Washington, D.C. 20037
Tel. (202) 955-1500
rphair@hunton.com
csimpson@hunton.com

Alan R. Kabat (pro hac vice) Bernabei & Kabat, PLLC 1400 - 16th Street, N.W., Suite 500 Washington, D.C. 20036-2223 Tel. (202) 745-1942 (ext. 242) Kabat@BernabeiPLLC.com

Attorneys for Defendant-Intervenors

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on counsel o
record via the Court's electronic filing and service on January 17, 2023.
/s/William Christian